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Total Number of Pages in This Submission

19

Application Number	10/763,719
Filing Date	January 23, 2004
First Named Inventor	Thomas Zdeblick
Art Unit	3732
Examiner Name	Alvin J. Stewart
Attorney Docket Number	MSDI-200/PC261.21

ENCLOSURES (Check all that apply)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Krieg DeVault LLP		
Signature			
Printed name	Brad A. Schepers		
Date	November 22, 2005	Reg. No.	45,431

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Before the Examiner
Thomas Zdeblick et al.)	Alvin J. Stewart
)	
Serial No. 10/763,719)	Group Art Unit 3732
)	
Filed January 23, 2004)	Ref. No. MSDI-200/ PC261.21
)	
METHODS AND INSTRUMENTS)	November 22, 2005
FOR INTERBODY FUSION)	

RESPONSE TO NON-FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the non-final Office Action dated August 23, 2005, please enter and consider the following remarks. Additionally, please provide any extensions of time necessary and charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

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November 22, 2005

Date of Deposit

Brad A. Schepers

Name of Registered Representative

Signature

November 22, 2005

Date of Signature

INTRODUCTORY COMMENTS

Claims 15-22, 23, 39-52, 54, 55, 65, 67 and 71 are pending in the subject application. Claims 16-21 have been allowed. Claim 52 has been objected to, but has been indicated as allowable if rewritten in independent form. The remaining claims 15, 22, 23, 39-51, 54, 55, 65, 67 and 71 currently stand rejected. In view of the following remarks, reconsideration and allowance of the subject application are hereby requested.